

with, Federal, State, local, and Tribal public and private entities to respond to, and recover from, the specific significant incident associated with a declaration, such as—

“(A) hardware or software to replace, update, improve, harden, or enhance the functionality of existing hardware, software, or systems; and

“(B) technical contract personnel support; and

“(4) advance actions taken by the Secretary under section 2233(f)(1)(B).

“(b) DEPOSITS AND EXPENDITURES.—

“(1) IN GENERAL.—Amounts shall be deposited into the Fund from—

“(A) appropriations to the Fund for activities of the Fund; and

“(B) reimbursement from Federal agencies for the activities described in paragraphs (1), (2), and (4) of subsection (a), which shall only be from amounts made available in advance in appropriations Acts for such reimbursement.

“(2) EXPENDITURES.—Any expenditure from the Fund for the purposes of this subtitle shall be made from amounts available in the Fund from a deposit described in paragraph (1), and amounts available in the Fund shall be in addition to any other appropriations available to the Cybersecurity and Infrastructure Security Agency for such purposes.

“(c) SUPPLEMENT NOT SUPPLANT.—Amounts in the Fund shall be used to supplement, not supplant, other Federal, State, local, or Tribal funding for activities in response to a declaration.

“(d) REPORTING.—The Secretary shall require an entity that receives amounts from the Fund to submit a report to the Secretary that details the specific use of the amounts.

“SEC. 2235. NOTIFICATION AND REPORTING.

“(a) NOTIFICATION.—Upon a declaration or renewal, the Secretary shall immediately notify the National Cyber Director, the heads of appropriate Sector Risk Management Agencies, and appropriate congressional committees and include in the notification—

“(1) an estimation of the planned duration of the declaration;

“(2) with respect to a notification of a declaration, the reason for the declaration, including information relating to the specific significant incident or imminent specific significant incident, including—

“(A) the operational or mission impact or anticipated impact of the specific significant incident on Federal and non-Federal entities;

“(B) if known, the perpetrator of the specific significant incident; and

“(C) the scope of the Federal and non-Federal entities impacted or anticipated to be impacted by the specific significant incident;

“(3) with respect to a notification of a renewal, the reason for the renewal;

“(4) justification as to why available resources, other than the Fund, are insufficient to respond to or mitigate the specific significant incident; and

“(5) a description of the coordination activities described in section 2233(b) that the Secretary anticipates the Director to perform.

“(b) REPORT TO CONGRESS.—Not later than 180 days after the date of a declaration or renewal, the Secretary shall submit to the appropriate congressional committees a report that includes—

“(1) the reason for the declaration or renewal, including information and intelligence relating to the specific significant incident that led to the declaration or renewal;

“(2) the use of any funds from the Fund for the purpose of responding to the incident or threat described in paragraph (1);

“(3) a description of the actions, initiatives, and projects undertaken by the De-

partment and State and local governments and public and private entities in responding to and recovering from the specific significant incident described in paragraph (1);

“(4) an accounting of the specific obligations and outlays of the Fund; and

“(5) an analysis of—

“(A) the impact of the specific significant incident described in paragraph (1) on Federal and non-Federal entities;

“(B) the impact of the declaration or renewal on the response to, and recovery from, the specific significant incident described in paragraph (1); and

“(C) the impact of the funds made available from the Fund as a result of the declaration or renewal on the recovery from, and response to, the specific significant incident described in paragraph (1).

“(c) CLASSIFICATION.—Each notification made under subsection (a) and each report submitted under subsection (b)—

“(1) shall be in an unclassified form with appropriate markings to indicate information that is exempt from disclosure under section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’); and

“(2) may include a classified annex.

“(d) CONSOLIDATED REPORT.—The Secretary shall not be required to submit multiple reports under subsection (b) for multiple declarations or renewals if the Secretary determines that the declarations or renewals substantively relate to the same specific significant incident.

“(e) EXEMPTION.—The requirements of subchapter I of chapter 35 of title 44 (commonly known as the ‘Paperwork Reduction Act’) shall not apply to the voluntary collection of information by the Department during an investigation of, a response to, or an immediate post-response review of, the specific significant incident leading to a declaration or renewal.

“SEC. 2236. RULE OF CONSTRUCTION.

“Nothing in this subtitle shall be construed to impair or limit the ability of—

“(1) the Director to carry out the authorized activities of the Cybersecurity and Infrastructure Security Agency; or

“(2) the Secretary of Energy to carry out the authorities under—

“(A) section 61003(c) of the Fixing America’s Surface Infrastructure Act (6 U.S.C. 121 note; Public Law 114-194); or

“(B) section 215A of the Federal Power Act (16 U.S.C. 824o-1).

“SEC. 2237. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Fund \$20,000,000 for fiscal year 2022, which shall remain available until September 30, 2028.

“SEC. 2238. SUNSET.

“The authorities granted to the Secretary or the Director under this subtitle shall expire on the date that is 7 years after the date of enactment of this subtitle.”.

SA 1582. Mr. MANCHIN (for himself, Mrs. CAPITO, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2116(f), add the following:

(5) PROHIBITION ON DUPLICATION.—No funds shall be made available to the Directorate for activities that would unnecessarily duplicate existing programs, efforts, and infrastructure supported by other relevant Federal agencies, including the Department of Energy, as of the date of enactment.

SA 1583. Ms. COLLINS (for herself, Mr. WARNER, Mr. RUBIO, Mrs. SHAHEEN, Mr. CORNYN, Mr. BENNET, Mr. BURR, Mr. HEINRICH, Mr. BLUNT, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AUTHORITY TO PAY PERSONNEL OF CENTRAL INTELLIGENCE AGENCY FOR CERTAIN INJURIES TO THE BRAIN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” mean—

(A) the congressional intelligence committees (as that term is defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)); and

(B) the Committees on Appropriations of the Senate and the House of Representatives.

(2) COVERED DEPENDENT, COVERED EMPLOYEE, COVERED INDIVIDUAL, AND QUALIFYING INJURY.—The terms “covered dependent”, “covered employee”, “covered individual”, and “qualifying injury” have the meanings given such terms in section 19A(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(a)).

(b) PAYMENT AUTHORIZED.—Section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b) is amended by adding at the end the following:

“(d) AUTHORITY TO MAKE PAYMENTS FOR QUALIFYING INJURIES TO THE BRAIN.—

“(1) AUTHORITY.—Notwithstanding any other provision of law but subject to paragraph (2), the Director may provide payment to a covered dependent, a covered employee, and a covered individual for a qualifying injury to the brain.

“(2) LIMITATIONS.—

“(A) APPROPRIATIONS REQUIRED.—Payment under paragraph (1) in a fiscal year may only be made using amounts appropriated in advance specifically for payments under such paragraph in such fiscal year.

“(B) MATTER OF PAYMENTS.—Payments under paragraph (1) using amounts appropriated for such purpose shall be made on a first come, first serve, or pro rata basis.

“(C) AMOUNTS OF PAYMENTS.—The total amount of funding obligated for payments under paragraph (1) may not exceed the amount specifically appropriated for providing payments under such paragraph during its period of availability.

“(3) REGULATIONS.—

“(A) IN GENERAL.—The Director shall prescribe regulations to carry out this subsection.

“(B) ELEMENTS.—The regulations prescribed under subparagraph (A) shall include regulations detailing fair and equitable criteria for payment under paragraph (1).”.

(c) **APPLICABILITY.**—Payment under subsection (d) of such section, as added by subsection (b) of this section, may be made available for a qualifying injury to the brain that occurs before, on, or after the date of the enactment of this Act as the Director of the Central Intelligence Agency considers appropriate.

(d) **REPORTS.**—

(1) **REPORT ON USE OF AUTHORITY.**—

(A) **IN GENERAL.**—Not later than 365 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate congressional committees a report on the use of the authority provided by section 19A(d) of such Act, as added by subsection (b) of this section.

(B) **CONTENTS.**—The report submitted under subparagraph (A) shall include the following:

(i) A budget or spend plan for the use of the authority described in subparagraph (A) for the subsequent fiscal year.

(ii) Information relating to the use of the authority described in subparagraph (A) for the preceding year, including the following:

(I) The total amount expended.

(II) The number of covered dependents, covered employees, and covered individuals for whom payments were made.

(III) The amounts that were provided to each person described in subclause (II).

(iii) An assessment of whether additional authorities are required to ensure that covered dependents, covered employees, and covered individuals can receive payments for qualifying injuries, such as a qualifying injury to the back or heart.

(C) **FORM.**—The report submitted under subparagraph (A) shall be submitted in classified form.

(2) **REPORT ON ESTIMATED COSTS FOR FISCAL YEAR 2023.**—Not later than March 1, 2022, the Director shall submit to the appropriate congressional committees a report detailing an estimate of the obligation that the Director expects to incur in providing payment under section 19A(d) of such Act, as added by subsection (b) of this section, in fiscal year 2023.

(e) **REGULATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director shall prescribe regulations required under section 19A(d)(3)(A) of such Act, as added by subsection (b) of this section.

(2) **NOTICE TO CONGRESS.**—Not later than 210 days after the date of the enactment of this Act, the Director shall submit to the appropriate congressional committees the regulations prescribed in accordance with paragraph (1).

(f) **CLARIFYING AMENDMENT.**—Section 19A(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(b)) is amended, in the subsection heading, by inserting “TOTAL DISABILITY RESULTING FROM” before “CERTAIN INJURIES”.

SEC. ____ . AUTHORITY TO PAY PERSONNEL OF DEPARTMENT OF STATE FOR CERTAIN INJURIES TO THE BRAIN.

(a) **DEFINITIONS.**—In this section:

(1) **DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **COVERED DEPENDENT, COVERED EMPLOYEE, COVERED INDIVIDUAL, AND QUALIFYING INJURY.**—The terms “covered dependent”, “covered employee”, “covered individual”, and “qualifying injury” have the meanings given such terms in section 901(e) of title IX

of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(e)).

(b) **IN GENERAL.**—Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended—

(1) in subsection (f), by striking “subsection (a) or (b)” both places it appears and inserting “subsection (a), (b), or (i)”; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “IN GENERAL.—This section” and inserting “ADJUSTMENT OF COMPENSATION PROVISION.—Subsections (a) and (b)”; and

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) **OTHER PAYMENT PROVISION.**—Payment under subsection (i) may be made available for a qualifying injury that occurs before, on, or after the date of the enactment of such subsection.”; and

(3) by adding at the end the following new subsection:

“(i) **OTHER INJURIES.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law but subject to paragraph (2), the Secretary of State or other agency head with an employee abroad may provide payment to a covered dependent, a dependent of a former employee, a covered employee, a former employee, and a covered individual for a qualifying injury to the brain.

“(2) **LIMITATIONS.**—

“(A) **APPROPRIATIONS REQUIRED.**—Payment under paragraph (1) in a fiscal year may only be made using amounts appropriated in advance specifically for payments under such paragraph in such fiscal year.

“(B) **MATTER OF PAYMENTS.**—Payments under paragraph (1) using amounts appropriated for such purpose shall be made on a first come, first serve, or pro rata basis.

“(C) **AMOUNTS OF PAYMENTS.**—The total amount of funding obligated for payments under paragraph (1) may not exceed the amount specifically appropriated for providing payments under such paragraph during its period of availability.

“(3) **REGULATIONS.**—

“(A) **IN GENERAL.**—The Secretary or other agency head described in paragraph (1) that provides payment under such paragraph shall prescribe regulations to carry out this subsection.

“(B) **ELEMENTS.**—The regulations prescribed under subparagraph (A) shall include regulations detailing fair and equitable criteria for payment under paragraph (1).”.

(c) **REPORTS.**—

(1) **REPORTS ON USE OF AUTHORITY.**—

(A) **IN GENERAL.**—Not later than 365 days after the date of the enactment of this Act, the Secretary of State and each other agency head that makes a payment under subsection (i) of section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b), as added by subsection (b) of this section, shall submit to the appropriate congressional committees a report on the use of the authority provided by such subsection (i).

(B) **CONTENTS.**—Each report submitted under subparagraph (A) shall include the following:

(i) A budget or spend plan for the use of the authority described in subparagraph (A) for the subsequent fiscal year.

(ii) Information relating to the use of the authority described in subparagraph (A) for the preceding year, including the following:

(I) The total amount expended.

(II) The number of covered dependents, covered employees, and covered individuals for whom payments were made.

(III) The amounts that were provided to each person described in subclause (II).

(iii) An assessment of whether additional authorities are required to ensure that covered dependents, covered employees, and covered individuals can receive payments for qualifying injuries, such as a qualifying injury to the back or heart.

(C) **FORM.**—The report submitted under subparagraph (A) shall be submitted in classified form.

(2) **REPORTS ON ESTIMATED COSTS FOR FISCAL YEAR 2023.**—Not later than March 1, 2022, the Secretary of State and each other agency head that makes a payment under subsection (i) of section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b), as added by subsection (b) of this section, shall submit to the appropriate congressional committees a report detailing an estimate of the obligation that the Director expects to incur in providing payment under such subsection (i) in fiscal year 2023.

(d) **REGULATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and each other agency head that makes a payment under subsection (i)(1) of section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b), as added by subsection (b) of this section, shall prescribe regulations required under subsection (i)(3)(A) of such Act.

(2) **NOTICE TO CONGRESS.**—Not later than 210 days after the date of the enactment of this Act, the Secretary of State and the agency heads described in paragraph (1) shall submit to the appropriate congressional committees the regulations prescribed in accordance with paragraph (1).

SA 1584. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ACCESS TO AGENCY GUIDANCE DOCUMENTS.

(a) **SHORT TITLE.**—The section may be cited as the “Guidance Out Of Darkness Act” or the “GOOD Act”.

(b) **DEFINITIONS.**—In this section:

(1) **AGENCY.**—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(2) **DIRECTOR.**—The term “Director” means the Director of the Office of Management and Budget.

(3) **GUIDANCE DOCUMENT.**—

(A) **DEFINITION.**—The term “guidance document”—

(i) means an agency statement of general applicability (other than a rule that has the force and effect of law promulgated in accordance with the notice and comment procedures under section 553 of title 5, United States Code) that—

(I) does not have the force and effect of law; and

(II) is designated by an agency official as setting forth—

(aa) a policy on a statutory, regulatory, or technical issue; or